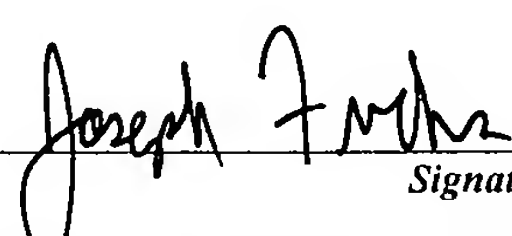
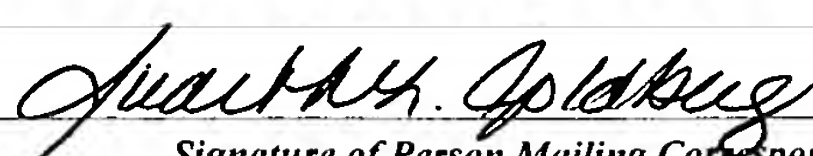


165 Jw

<b>TRANSMITTAL LETTER</b> (General - Patent Pending)				Docket No. IFT-5657A-1	
In Re Application Of: Werling et al.					
Application No. 10/035,821	Filing Date October 19, 2001	Examiner Simon J. Oh	Customer No. 43793	Group Art Unit 1615	Confirmation No. 2470
Title: METHOD FOR PREPARING SUBMICRON SUSPENSIONS WITH POLYMORPH CONTROL					
<u>COMMISSIONER FOR PATENTS:</u>  Transmitted herewith is:  Amendment Transmittal Letter (1 pg. - in duplicate); Amendment (10 pgs.); Declaration of Mark J. Doty (2 pgs. plus 2 pages from laboratory notebook); return receipt postcard.   in the above identified application.  <div style="display: flex; justify-content: space-between;"><div style="width: 60%;"><input checked="" type="checkbox"/> No additional fee is required. <input type="checkbox"/> A check in the amount of _____ is attached. <input checked="" type="checkbox"/> The Director is hereby authorized to charge and credit Deposit Account No. 50-3189 as described below.<div style="margin-left: 20px;"><input type="checkbox"/> Charge the amount of _____ <input checked="" type="checkbox"/> Credit any overpayment. <input checked="" type="checkbox"/> Charge any additional fee required.</div></div><div style="width: 35%;"></div></div> <div style="display: flex; justify-content: space-between; margin-top: 20px;"><div style="width: 45%;"><div style="text-align: center; margin-bottom: 10px;"> _____ <i>Signature</i></div><div>Joseph A. Fuchs, Reg. No. 34,604 Everest Intellectual Property Law Group P.O. Box 708 Northbrook, IL 60065 Tel: (847) 272-3400</div></div><div style="width: 50%; text-align: right;"><div style="margin-bottom: 10px;">Dated: August 4, 2004</div><div style="border: 1px solid black; padding: 5px; margin-top: 10px;">I certify that this document and fee is being deposited on August 4, 2004 with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.<div style="text-align: center; margin-top: 10px;"> _____ <i>Signature of Person Mailing Correspondence</i></div><div style="text-align: center; margin-top: 10px;">Judith L. Goldberg _____ <i>Typed or Printed Name of Person Mailing Correspondence</i></div></div></div></div>					

<b>AMENDMENT TRANSMITTAL LETTER (Large Entity)</b>					Docket No. <b>IFT-5657A-1</b>	
Applicant(s): <b>Werling et al.</b>						
Application No. <b>10/035,821</b>	Filing Date <b>October 19, 2001</b>	Examiner <b>Simon J. Oh</b>	Customer No. <b>43793</b>	Group Art Unit <b>1615</b>	Confirmation No. <b>2470</b>	
Invention: <b>METHOD FOR PREPARING SUBMICRON SUSPENSIONS WITH POLYMORPH CONTROL</b>						
<b>COMMISSIONER FOR PATENTS:</b>						
Transmitted herewith is an amendment in the above-identified application.						
The fee has been calculated and is transmitted as shown below.						
<b>CLAIMS AS AMENDED</b>						
	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST # PREV. PAID FOR	NUMBER EXTRA CLAIMS PRESENT	RATE	ADDITIONAL FEE	
TOTAL CLAIMS	62 -	66 =	0 x	\$18.00	\$0.00	
INDEP. CLAIMS	4 -	4 =	0 x	\$86.00	\$0.00	
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					\$0.00	
<b>TOTAL ADDITIONAL FEE FOR THIS AMENDMENT</b>					<b>\$0.00</b>	
<div style="display: flex; justify-content: space-between;"><div><p><input checked="" type="checkbox"/> No additional fee is required for amendment.</p><p><input type="checkbox"/> Please charge Deposit Account No. _____ in the amount of _____</p><p><input type="checkbox"/> A check in the amount of _____ to cover the filing fee is enclosed.</p><p><input checked="" type="checkbox"/> The Director is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. <b>50-3189</b></p><p><input checked="" type="checkbox"/> Any additional filing fees required under 37 C.F.R. 1.16.</p><p><input checked="" type="checkbox"/> Any patent application processing fees under 37 CFR 1.17.</p></div><div style="text-align: right;"><p>Dated: <b>August 4, 2004</b></p></div></div> <div style="margin-top: 20px;"><div style="display: flex; justify-content: space-between;"><div style="width: 45%;"><p> _____ <i>Signature</i></p><p><b>Joseph A. Fuchs, Reg. No. 34,604</b> <b>Everest Intellectual Property Law Group</b> <b>P.O. Box 708</b> <b>Northbrook, IL 60065</b> <b>Tel: (847) 272-3400</b></p></div><div style="width: 50%; border: 1px solid black; padding: 10px;"><p>I certify that this document and fee is being deposited on <b>August 4, 2004</b> with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.</p><div style="text-align: center; margin-top: 20px;"> _____ <i>Signature of Person Mailing Correspondence</i></div><p style="text-align: center;"><b>Judith L. Goldberg</b> <i>Typed or Printed Name of Person Mailing Correspondence</i></p></div></div></div>						
cc:						



Atty Dkt. No. IFT-5657A-1

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Patent Application Of:  
Werling et al.

For: METHOD FOR PREPARING  
SUBMICRON SUSPENSIONS  
WITH POLYMORPH CONTROL

Serial No.: 10/035,821

Filed: October 19, 2001

Examiner: Simon J. Oh

Art Unit: 1615

Conf. No. 2470

CERTIFICATE OF MAILING

I hereby certify that this paper is being deposited  
with the United States Postal Office with  
sufficient postage as first class mail in an  
envelope addressed to: Commissioner for Patents,  
P.O. Box 1450, Alexandria, VA 22313-1450 on  
August 4, 2004.

  
Judith L. Goldberg

AMENDMENT

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22202

Sir:

In response to the Office Action mailed May 6, 2004, please amend the above-identified  
application as follows:

**Amendments to the Claims** are reflected in the listing of claims which begins on page 2  
of this paper.

**Remarks/Arguments** begin on page 10 of this paper.